

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KRISTEN WHITING	:	CIVIL ACTION
	:	
v.	:	
	:	
SAFE AUTO INSURANCE COMPANY	:	NO. 15-6791

ORDER

AND NOW, this 20th day of July, 2016, upon consideration of Defendant Safe Auto Insurance Company's Motion to Dismiss (Docket No. 9), and all documents filed in connection therewith, and for the reasons stated in the accompanying Memorandum, **IT IS HEREBY ORDERED** that the Motion is **GRANTED IN PART AND DENIED IN PART** as follows:

1. The Motion is **GRANTED** as to Counts I and II of the Corrected Amended Complaint and those Counts are **DISMISSED**.
2. The Motion is **DENIED** as to Count III of the Corrected Amended Complaint.
3. Defendant Safe Auto Insurance Company shall file a responsive pleading in accordance with Federal Rule of Civil Procedure 12(a)(4)(A).

BY THE COURT:

/s/ John R. Padova

John R. Padova, J.